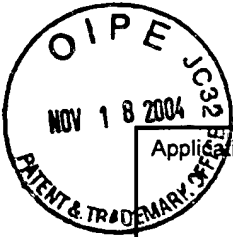


11-19-04

GP1654  
Haw



Application No. (if known): 09/762,067

Attorney Docket No.: 01946/100D864-US1

## Certificate of Express Mailing Under 37 CFR 1.10

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Date

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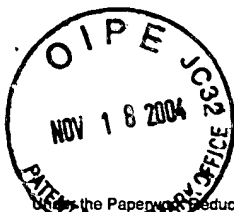
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Fee Transmittal for FY 2005 (1 page);  
Information Disclosure Statement (2 pages);  
List of References (PTO\SB08a\b form) (1 page);  
2 Patent Documents;  
8 Publications;  
Postcard; and  
Check No. 6275 for \$ 180.00



PTO/SB/17 (10-04)  
Approved for use through 7/31/2006. OMB 0651-0032  
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FEE TRANSMITTAL for FY 2005 <small>Effective 10/01/2004. Patent fees are subject to annual revision.</small>		Complete if Known	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number	09/762,067
TOTAL AMOUNT OF PAYMENT (\$)		Filing Date	August 3, 2001
180.00		First Named Inventor	David Gschneidner et al.
		Examiner Name	Maury Audet
		Art Unit	1654
		Attorney Docket No.	01946/100D864-US1
METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)	
<input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None		3. ADDITIONAL FEES	
<input type="checkbox"/> Deposit Account: Deposit Account Number: 04-0100 Deposit Account Name: Darby & Darby P.C.		Large Entity Small Entity	
The Director is authorized to: (check all that apply)		Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid	
<input type="checkbox"/> Charge fee(s) indicated below <input checked="" type="checkbox"/> Credit any overpayments		1051 130 2051 65 Surcharge - late filing fee or oath	
<input checked="" type="checkbox"/> Charge any additional fee(s) or any underpayment of fee(s)		1052 50 2052 25 Surcharge - late provisional filing fee or cover sheet.	
<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.		1053 130 1053 130 Non-English specification	
FEE CALCULATION		1812 2,520 1812 2,520 For filing a request for <i>ex parte</i> reexamination	
1. BASIC FILING FEE		1804 920* 1804 920* Requesting publication of SIR prior to Examiner action	
Large Entity Small Entity		1805 1,840* 1805 1,840* Requesting publication of SIR after Examiner action	
Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid		1251 110 2251 55 Extension for reply within first month	
1001 790 2001 395 Utility filing fee		1252 430 2252 215 Extension for reply within second month	
1002 350 2002 175 Design filing fee		1253 980 2253 490 Extension for reply within third month	
1003 550 2003 275 Plant filing fee		1254 1,530 2254 765 Extension for reply within fourth month	
1004 790 2004 395 Reissue filing fee		1255 2,080 2255 1,040 Extension for reply within fifth month	
1005 160 2005 80 Provisional filing fee		1401 340 2401 170 Notice of Appeal	
SUBTOTAL (1) (\$)		1402 340 2402 170 Filing a brief in support of an appeal	
0.00		1403 300 2403 150 Request for oral hearing	
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1451 1,510 1451 1,510 Petition to institute a public use proceeding	
Total Claims <input type="text"/> ** = <input type="text"/> x <input type="text"/> = <input type="text"/>		1452 110 2452 55 Petition to revive - unavoidable	
Independent Claims <input type="text"/> ** = <input type="text"/> x <input type="text"/> = <input type="text"/>		1453 1,370 2453 685 Petition to revive - unintentional	
Multiple Dependent <input type="text"/> = <input type="text"/>		1501 1,370 2501 685 Utility issue fee (or reissue)	
Large Entity Small Entity		1502 490 2502 245 Design issue fee	
Fee Code Fee (\$) Fee Code Fee (\$) Fee Description Fee Paid		1503 660 2503 330 Plant issue fee	
1202 18 2202 9 Claims in excess of 20		1460 130 1460 130 Petitions to the Commissioner	
1201 88 2201 44 Independent claims in excess of 3		1807 50 1807 50 Processing fee under 37 CFR 1.17(q)	
1203 300 2203 150 Multiple dependent claim, if not paid		1806 180 1806 180 Submission of Information Disclosure Stmt	
1204 88 2204 44 ** Reissue independent claims over original patent		8021 40 8021 40 Recording each patent assignment per property (times number of properties)	
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent		1809 790 2809 395 Filing a submission after final rejection (37 CFR 1.129(a))	
SUBTOTAL (2) (\$)		1810 790 2810 395 For each additional invention to be examined (37CFR 1.129(b))	
0.00		1801 790 2801 395 Request for Continued Examination (RCE)	
**or number previously paid, if greater, For Reissues, see above		1802 900 1802 900 Request for expedited examination of a design application	
		Other fee (specify) <input type="text"/>	
		*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)	
		180.00	
SUBMITTED BY		(Complete (if applicable))	
Name (Print/Type) Jason C. Chumney		Registration No. (Attorney/Agent) 54,781	
Signature		Telephone (212) 527-7700	
		Date November 18, 2004	

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Dated: \_\_\_\_\_

Docket No.: 01946/100D864-US1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
David Gschneidner et al.

Application No.: 09/762,067

Confirmation No.: 7883

Filed: August 3, 2001

Art Unit: 1654

For: COMPOUNDS AND COMPOSITIONS FOR  
DELIVERING ACTIVE AGENTS

Examiner: Maury Audet

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, OR more than three months after the date of entry of the national stage of a PCT application, AND after the mailing date of the first Office Action on the merits, whichever occurs first, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

A copy of each document on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as

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01946/100D864-US1  
PATENT  
NOV 18 2004  
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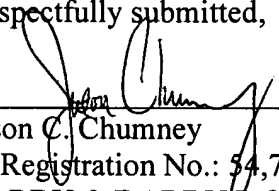
defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

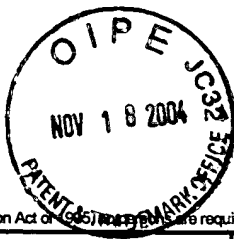
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Our check in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

Dated: November 18, 2004

Respectfully submitted,

By   
Jason C. Chumney  
Registration No.: 54,781  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
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Attorneys/Agents For Applicant



PTO/SB/08a/b (08-03)

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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	09/762,067
				Filing Date	August 3, 2001
				First Named Inventor	David Gschneider et al.
				Art Unit	1654
				Examiner Name	Maury Audet
Sheet	1	of	1	Attorney Docket Number	01946/100D864-US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-3,489,793	07/13/1970	Bertelli, et al.	Entire document

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	ES 369853	07/24/1069	Laboratorios Bama	Entire document	X

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	O'Shaughnessy, Catherine, et al. "Acylation Non-Alpha-Amino Acids Increase the Permeation of Recombinant Human Growth Hormone Through CACO-2 Monolayers", Abstract 1997 AAPS Annual Meeting Abstracts, November 1997.	
	CB	O'Shaughnessy, Catherine. "Acylation Non-Alpha-Amino Acids Increase the Permeation of Recombinant Human Growth Hormone Through CACO-2 Monolayers". Poster Presentation at 1997 AAPS Annual Meeting. November 1997.	
	CC	O'Shaughnessy, Catherine, et al. "Acylation Non-Alpha-Amino Acids Increase the Permeation of Horseradish Peroxidase Through CACO-2 Monolayers", Abstract 1997 AAPS Annual Meeting Abstracts. November 1998.	
	CD	Freeman, John, et al., "The Use of Parallel Synthesis to Prepare Compounds For An <i>In Vivo</i> Assay". Poster Presentation at 217th American Chemical Society Meeting, March 21, 1999.	
	CE	Freeman, John, et al., "The Use of Parallel Synthesis to Prepare Compounds For An <i>In Vivo</i> Assay". Abstract. American Chemical Society, March 21, 1999.	
	CF	O'Toole, Doris, et al., "Increased Throughput in an <i>In Vivo</i> Assay by Use of Parallel Synthesis Array. Abstract 1998 AAPS Annual Meeting Abstracts. November 1998.	
	CG	O'Toole, Doris, et al., "Increased Throughput in an <i>In Vivo</i> Assay by Use of Parallel Synthesis Array. Poster Presentation at 1998 AAPS Annual Meeting, Anaheim, California. November 16, 1998.	
	CH	Leone-Bay, Andrea, et al. "Oral Delivery of Biologically Active Parathyroid Hormone. Pharmaceutical Research. Vol. 18(7):964-970. 2001.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

(W:1019 46)100d	Date Considered
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